

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

----- x  
NICE SYSTEMS, INC., : Civil No: 16-cv-01759-DWF-FLN  
:   
Plaintiff, :  
- against - : **Declaration of Jay Warren**  
:   
PEDRO J. BECQUER, :  
:   
Defendant. :  
----- x

Pursuant to 28 U.S. Code § 1746, I, Jay P. Warren, under penalty of perjury,  
hereby declare:

1. I am a member of the law firm of Bryan Cave LLP, attorneys for plaintiff NICE Systems, Inc.’s (“NICE”) in this matter. I am making this declaration to provide the Court with certain documents relevant to NICE’s opposition to defendant Pedro Becquer’s Motion for Summary Judgment.
2. Attached hereto as Exhibit A is a true and correct copy of excerpts from the deposition of Alan Wojcik.
3. Attached hereto as Exhibit B is a true and correct copy of excerpts from the deposition of Pedro Becquer, taken on March 7, 2017 (“Becquer”).
4. Attached hereto as Exhibit C is a true and correct copy of Pedro Becquer’s Mirantis Offer letter executed by Becquer on July 29, 2015, marked as Becquer Deposition Exhibit 8B.

5. Attached hereto as Exhibit D is a true and correct copy of Pedro Becquer's 2015 Mirantis presentation, marked as Becquer Deposition Exhibit 12.

6. Attached hereto as Exhibit E is a true and correct copy of an email from Pedro Becquer to Marina Trost on October 13, 2015, marked as Becquer Deposition Exhibit 19A.

7. Attached hereto as Exhibit F is a true and correct copy of an email from Marina Trost to Pedro Becquer on November 10, 2015, marked as Becquer Deposition Exhibit 19B.

8. Attached hereto as Exhibit G is a true and correct copy of an email from Pedro Becquer to Marina Trost on November 13, 2015, marked as Becquer Deposition Exhibit 19C.

9. Attached hereto as Exhibit H is a true and correct copy of an email from Janet Macquaig to Pedro Becquer on November 17, 2015, marked as Becquer Deposition Exhibit 19D.

10. Attached hereto as Exhibit I is a true and correct copy of an email from Janet Macquaig to Pedro Becquer on November 20, 2015, marked as Becquer Deposition Exhibit 19E.

11. Attached hereto as Exhibit J is a true and correct copy of an email from Pedro Becquer to Joseph Reyes, among others, on October 19, 2015, marked Becquer Deposition Exhibit 21A.

12. Attached hereto as Exhibit K is a true and correct copy of an email from Pedro Becquer to Lou Villanueva on October 21, 2015, marked as Becquer Deposition Exhibit 21B.

13. Attached hereto as Exhibit L is a true and correct copy of an email from Pedro Becquer to Joyce Holupka on January 6, 2016, marked as Becquer Deposition Exhibit 25.

14. Attached hereto as Exhibit M is a true and correct copy of an email from Pedro Becquer to Laura Cooper on January 13, 2016, marked as Becquer Deposition Exhibit 27.

15. Attached hereto as Exhibit N is a true and correct copy of excerpts from the deposition of Laura Cooper, taken on April 27, 2017 (“Cooper”).

16. Attached hereto as Exhibit O is a true and correct copy of excerpts from NICE’s employee handbook, marked as Cooper Deposition Exhibit 68.

17. Attached hereto as Exhibit P is a true and correct copy of excerpts from the deposition of Laurie Dahlgreen, taken on January 12, 2017 (“Dahlgreen”).

18. Attached hereto as Exhibit Q is a true and correct copy of Becquer’s Mirantis Bonus Statement, marked as Dahlgreen Exhibit 16, Hartman Deposition Exhibit 4, and Becquer Deposition Exhibit 11. Dahlgreen testified that this commission sheet was created in the normal course of business. (*See* Dahlgreen 80:7-12.)

19. Attached hereto as Exhibit R is a true and correct copy of excerpts from the deposition of Edward Hartman, taken on June 16, 2017 (“Hartman”).

20. Attached hereto as Exhibit S is a true and correct copy of an email from Jean-Gabriel Peuchaud to Edward Hartman on January 7, 2016, marked as Hartman Deposition Exhibit 7.

21. Attached hereto as Exhibit T is a true and correct copy of excerpts from the deposition of Mary Beth Gaspich, taken on April 26, 2017.

22. Attached hereto as Exhibit U is a true and correct copy of excerpts from the deposition of Javier Ortiz, taken on April 25, 2017.

23. Attached hereto as Exhibit V is a true and correct copy of excerpts from the deposition of Luis Villanueva, taken on April 24, 2017.

24. Attached hereto as Exhibit W is a true and correct copy of excerpts from the deposition of Vered Shinar, taken on April 26, 2017.

25. Attached hereto as Exhibit X is a true and correct copy of an email from Jonathan Trott to Pedro Becquer on November 25, 2015, marked as Becquer Deposition Exhibit 37.

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON JULY 20 , 2017.

/s/ Jay P. Warren  
Jay P. Warren